

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

**BANK OF THE WEST, a California
Banking Corporation,**

Plaintiff,

v.

**HOMESTEAD HOMES OF AMERICA,
Inc., a Nebraska Corporation,
HOMESTEAD CAPITAL, Company,
Inc., a Nebraska Corporation,
HERITAGE HOMES OF NEBRASKA,
Inc., a Nebraska Corporation,
HERITAGE MANUFACTURING, Inc., a
Delaware Corporation, LINCOLN
FINANCIAL, Inc., a Nebraska
Corporation, RODNEY R. TOMPKINS,
a Nebraska Resident, and LORETA J.
TOMPKINS, a Nebraska Resident,**

Defendants.

CASE NO. 8:08CV24

ORDER

This matter is before the Court on the parties' Joint Motion to Stay All Proceedings and Deadlines (Filing No. 43). The parties have indicated that they have reached a settlement in this matter but require additional time to complete the requirements of their agreement. Accordingly,

IT IS ORDERED:

1. Plaintiff's Motion for Summary Judgment (Filing No. 21) and Amended Motion for Summary Judgment (Filing No. 23) are denied without prejudice to their refiling in the event the settlement agreement terms are not met; and

2. All activity in this case (including compliance with all deadlines in the progression orders, responses to discovery and pending motions, and attendance at pretrial or other scheduled conferences) and all other actions otherwise scheduled is stayed until October 1, 2008.

DATED this 14th day of April, 2008.

BY THE COURT:

s/Laurie Smith Camp
United States District Judge